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Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Application Number 09/610,738 TRANSMITTAL Filing Date July 6, 2000 DEC 2 0 2004 **#FORM First Named Inventor** Crescenti correspondence after initial filing) Group Art Unit 2175 S. Rimell **Examiner Name** Total Number of Pages in This Submission ಖ Attorney Docket Number 4982/8 ENCLOSURES (check all that apply) After Allowance Communication to Assignment Papers Fee Transmittal Form (for an Application) Group Appeal Communication to Board of Fee Attached Drawing(s) Appeals and Interferences Amendment and Response to Declaration for Utility or Design Patent Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) **Examiner Interview** Application Petition Routing Slip (PTO/SB/69) Proprietary Information After Final and Accompanying Petition Petition to Convert to a Affidavits/declaration(s) Status Letter **Provisional Application** Power of Attorney Other Enclosure(s) Extension of Time Request (please identify below): - return receipt postcard Terminal Disclaimer Express Abandonment Request Request for Refund Information Disclosure Statement CD, Number of CD(s) Certified Copy of Priority Customer No 29858 Remarks Document(s) Response to Missing Parts/ Incomplete Application SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Pristine Johannessen, Reg. No. 55,302 Individual name Signature Date December 16, 2004 **CERTIFICATE OF MAILING** I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: December 16, 2004

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

John Crescenti et al.

Application No.

09/610,738

Examiner:

Samuel Rimell

Filed

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July 6, 2000

Art Unit:

2175

Title:

MODULAR BACKUP AND RETRIEVAL SYSTEM USED

IN CONJUNCTION WITH A STORAGE AREA NETWORK

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## AMENDMENT AND RESPONSE TO EXAMINER INTERVIEW

Sir:

This paper is filed further to the Request for Continued Examination filed September 10, 2004, the interview with Examiner held November 16, 2004, and the Office Action dated May 12, 2004.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 19 of this paper.